DETAILED ACTION

1.   **Response to Amendment**

This action is in response to applicant's amendment filed on 05/22/2008

Claims 1-10 are still pending in the present application and c. **This action is made NON-FINAL.**

Response to Arguments

Applicant's arguments filed on 05/22/2008 have totally considered by the examiner. For that reason, the new office action is made **NON-FINAL**

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3.   Claims 6-7, 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Inoue et al, US. No. 20010011373.

Re claim 6, Inoue et al teach An apparatus configured to receive digital broadcasting(see fig.1, satellite digital broadcast receiving apparatus), the apparatus receiving a transport stream(see fig.1,element 6, transport stream; a transport stream , 0063) incorporating EPG information, the apparatus comprising: a demultiplexing unit (see fig.1, element 6, demultiplexer) configured to demultiplex the transport stream into a video stream, an audio stream, and the transport stream incorporating EPG information(The demultiplexer 6 extracts the audio data and video data corresponding to the selected service from among the inputted TS of the MPEG 2, and supplies them to an audio decoder 10 and a video decoder 8 respectively. Here, the audio data is in the format of MPEG 2-AAC, while the video data is in the format of MPEG 2-Video,0064); an image signal processing unit (see fig.1, element 9, display processor) configured to image-process streams demultiplexed by said demultiplexing unit; an EPG generating unit(see fig.1, element 16, information for EPG text) configured to generate a program guide screen using the EPG information; a display unit configured (see fig.1, element

200, display unit)to display an image signal output from said image signal processing unit(see

fig.1, element 9, display processor) and the EPG information output(seefig.1, element 200, EPG

output) from said EPG generating unit(see fig.1, element 16, information for EPG text); and a

control unit (see fig.1, element 17, CPU) configured to tune a current channel and to detect

corresponding broadcast information upon receipt of a request command of an EPG mode(,if the

EPG key 46 is pressed, the picture plane of the TV display is changed from the normal program

picture plane to the EPG picture plane as shown in FIG. 3, 0088) to tune a channel selected from

among channels(the tuner is tuned to a receiving band selected by the user, lines 8-9, 0063; that

means the user selects a channel)for which the EPG information is displayed by said display

unit, and then to update EPG information corresponding to the selected channel(updated

program, line 15, 0103).

Re claim 7, Inoue et al disclose further comprising a key input unit(see fig.5, key)
configured to select a desired channel from among the channels(the tuner is tuned to a
receiving band selected by the user, lines 8-9, 0063) for which EPG information is
displayed(see fig.1, element 200, EPG output).

Re claim 10, Inoue et al disclose wherein the EPG information corresponding to
the selected channel is updated in a memory unit where such information is stored (see
fig.1, element 16, RAM; program information is to be erased by sequentially updating
the SI, 0092).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or

described as set forth in section 102 of this title, if the differences between the subject matter

sought to be patented and the prior art are such that the subject matter as a whole would have

been obvious at the time the invention was made to a person having ordinary skill in the art to

which said subject matter pertains. Patentability shall not be negatived by the manner in which

the invention was made.

5.   Claims 1-5, 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Inoue et

al in view of Matsuyama et al, US No. 7239359.

Re claim 1, Inoue et al disclose method of controlling a program guide display using an electronic program guide (a method of displaying a program guide, lines 2-3, 0007), the method comprising: in response to a command to enter an EPG mode (see fig.5, element 46, EPG mode; an EPG key 46 is a key to display the EPG picture plane as shown in FIG. 3. Namely, under a condition that a normal program is viewed, if the EPG key 46 is pressed, the picture plane of the TV display is changed from the normal program picture plane to the EPG picture plane as shown in FIG. 3, 0088), displaying EPG information (see fig.1, element 200, EPG output; that means display EPG)of N channels(channels in a greater number than 5 may be simultaneously displayed, lines 5-6, 0082; n channels, 0117), which EPG information has been previously stored(The SI is the origin of the EPG display data. The EPG displaying process is performed by using this SI. The control data including the SI extracted by the demultiplexer 6 is stored into a RAM 16 under the control of a CPU 17. Also in the RAM 16, EPG text data to perform the EPG display is stored, 0066; see fig.1, element 14, flash memory for EPG; see fig.1, element 16, RAM information for EPG text).

But Inoue et al did not explicitly disclose whenever a selection channel is selected from among the N channels for which the EPG information is displayed, tuning the selection channel and updating corresponding EPG information.

In an analogous art, Matsuyama et al disclose whenever a selection channel is selected from among the N channels for which the EPG information is displayed(in the tuner 2 and performs a channel selection operation to make a channel search, col.4, lines 15-17) tuning(see fig.1, tuner) the selection channel and updating corresponding EPG information(data updating processing may be performed with respect to the other various types of data acquired from a digital broadcasting wave, col.5, line 28-30; see fig.3, step 8, write channel information into memory; that means update).

It would have been obvious for any person of ordinary skill in the art at that time the invention was made to introduce a selection channel is selected from among the N channels for which the EPG information is displayed, tuning the selection channel and updating corresponding EPG information into the system of Inoue, as taught by Matsuyama, for the purpose of giving more opportunities to users.

Re claim 2,   Inoue et al disclose wherein operation further comprises tuning (The tuner 4 is tuned to a receiving band selected by the user, 0063; that means tuning to a channel) a channel of the N channels for which the entry of the EPG mode is requested, and displaying updated EPG information (an EPG key 46 is a key to display the EPG picture plane as shown in FIG. 3. Namely, under a condition that a normal program is viewed, if the EPG key 46 is pressed, the picture plane of the TV display is changed from the normal program picture plane to the EPG picture plane as shown in FIG. 3, 0088).

Re claim 3, Inoue et al disclose a method of controlling a program guide display in which an electronic program guide is displayed(see fig.1, element 200, EPG output) using one tuner(see fig.1, element 4, tuner), the method comprising: in response to a command to enter an EPG mode(see fig.8, EPG display process, see fig.5, element 46, EPG mode; if the EPG key 46 is pressed, the picture plane of the TV display is changed from the normal program picture plane to the EPG picture plane as shown in FIG. 3, 0088), displaying the EPG (see fig.1, EPG output) information of the current channel, which is extracted in operation , and the EPG information of remaining channels of the N channels which has been previously stored(The SI is the origin of the EPG display data. The EPG displaying process is performed by using this SI. The control data including the SI extracted by the demultiplexer 6 is stored into a RAM 16 under the control of a CPU 17. Also in the RAM 16, EPG text data to perform the EPG display is stored. A flash memory 14 stores various graphic data to perform the EPG display, 0066).

But Inoue et al did not explicitly disclose checking if EPG information of N channels has been stored; if the EPG information of N channels has been stored, tuning a current channel of the N channels and extracting corresponding EPG information;
 and if a selection channel is selected from among the N channels for which the EPG information of N channels is displayed in operation tuning the selected channel and updating corresponding EPG information.

In an analogous art, Matsuyama et al disclose checking if EPG information of N channels has been stored(see fig.3, new channel?); if the EPG information of N channels has been stored, tuning a current channel of the N channels and extracting corresponding EPG information(in the tuner 2 and performs a channel selection

operation to make a channel search, col.4, lines 15-17);

 and if a selection channel is selected from among the N channels for which the EPG
information of N channels is displayed in operation tuning the selected channel and
updating corresponding EPG information(data updating processing may be performed
with respect to the other various types of data acquired from a digital broadcasting
wave, col.5, line 28-30; see fig.3, step 8, write channel information into memory; that
means update).

It would have been obvious for any person of ordinary skill in the art at that time the
invention was made to combine the system of Inoue with the system of Matsuyama for
the purpose of making the system more usable.

Re claim 4, Inoue et al disclose wherein, in operation c, the updated EPG
information of the current channel and the EPG information of N-1 channels of the EPG
information of the N channels which has been previously stored, is displayed(The SI is
the origin of the EPG display data. The EPG displaying process is performed by using this SI.
The control data including the SI extracted by the demultiplexer 6 is stored into a RAM 16 under
the control of a CPU 17. Also in the RAM 16, EPG text data to perform the EPG display is
stored, 0066; see fig.1, element 14, flash memory for EPG; see fig.1, element 16, RAM
information for EPG text).

Re claim 5, Inoue et al disclose wherein, in operation d, the selection channel
is selected by positioning a cursor at a broadcasting program of a current channel while
an EPG information screen is displayed, determining whether the cursor moves (as to
move the cursor, lines 7-8, 0087), and if the cursor moves, determining whether the cursor
moves vertically or horizontally (see fig.4, showing arrows when the cursor is moving
vertically or horizontally).

Re claim 8, Inoue et al disclose wherein the EPG information corresponding to
the selected channel is updated in a memory unit where such information is stored (see
fig.1, element 16, RAM; program information is to be erased by sequentially updating
the SI, 0092).

Re claim 9, Inoue et al disclose wherein the EPG information corresponding to
the selected channel is updated in a memory unit where such information is stored (see

fig.1, element 16, RAM; program information is to be erased by sequentially updating the SI, 0092).

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean Duclos Saintcyr whose phone number is 571-270-3224. The examiner can normally reach on M-F 7:30-5:00 PM EST.If attempts to reach the examiner by telephone are not successful, his supervisor, Brian Pendleton, can be reach on 571-272-7527. The fax number for the organization where the application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see htpp://pair-direct.uspto.gov. Should you have questions on access to the private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197(toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, dial 800-786-9199(IN USA OR CANADA) or 571-272-1000.

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